

Deed of Variation of BayTrust

between

Trustees of the Bay of Plenty Community
Trust Incorporated

and .

Minister of Finance

**Sharp
Tudhope**

LAWYERS

Deed of Variation of BayTrust

Date

19 February 2026

Parties

Trustees of the Bay of Plenty Community Trust Incorporated (Trustees)

Minister of Finance (Minister)

Background

- A. The Trustees are the Trustees of Bay of Plenty Community Trust Incorporated, an incorporated Community Trust created by a deed dated 10 March 2021 (**Trust Deed**) and known as BayTrust (**BayTrust**). BayTrust provides funding for charitable, cultural, philanthropic and recreational programmes, projects and activities that are of benefit to communities in the Bay of Plenty region.
- B. The Minister was the original settlor of BayTrust under a deed dated 30 May 1988. BayTrust is now governed by the Trust Deed and the Community Trusts Act 1999 (**CT Act**).
- C. Clause 18 of the Trust Deed provides that the Trustees may, by deed, modify or amend any term of the Trust Deed by resolution passed by no less than 75 percent of the Trustees present and voting at a properly convened and conducted meeting of the Trustees, provided that:
- (a) no modification would allow BayTrust to operate other than for the purposes set out in the Trust Deed or would be inconsistent with the provisions of the CT Act; and
 - (b) no modification to the Trust Deed is effective unless and until approved by the Minister.
- D. The Trustees wish to vary the Trust Deed as set out in this deed, and the Minister wishes to approve such variation.

This deed records

1. Variation

- 1.1 In accordance with the power given to them by clause 18 of the Trust Deed, the Trustees wish to vary clause 3.1 of the Trust Deed by deleting the words "*between 6 and 12 members*" and replacing it with the words "*between 6 and 9 members*" (**Variation**).

2. Effective Date

- 2.1 The effective date of the Variation is 1 June 2026.

3. **Compliance with clause 18 of the Trust Deed**

- 3.1 The Trustees confirm that the Variation to the Trust Deed set out herein complies with the requirements of clause 18 of the Trust Deed in that:
- (a) the Variation has been passed by resolution by no less than 75 percent of the Trustees at a meeting of the Trustees;
 - (b) the Variation does not allow BayTrust to operate other than for the purposes set out in the Trust Deed;
 - (c) the Variation is consistent with the provisions of the CT Act; and
 - (a) the Variation will be effective once approved by the Minister pursuant to clause 4 of this deed.

4. **Minister Consent and Acknowledgement**

- 4.1 The Minister confirms that prior to the execution of this deed, they have given their approval to the Trustees to make the variation to the Trust Deed set out herein as required by clause 18 of the Trust Deed and records this approval in writing by signing this deed.

5. **Entire Variation**

- 5.1 The terms of the Trust Deed are varied only as provided by this deed and nothing in this deed shall in any way affect or modify any other terms of the Trust Deed. From the date of this deed, this variation shall be read as and shall form part of the Trust Deed.

6. **Counterparts**


- 6.1 This deed may be executed in any number of counterparts (including facsimile and/or pdf copies) and provided that every party has executed a counterpart, the counterparts together shall constitute a binding and enforceable deed between the parties.

Signed by

Signed by **Tane Phillips** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Tane Phillips


Signature of witness


Name of witness


Occupation


Address

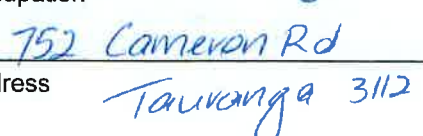
Signed by **Stephanie Northey** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Stephanie Northey

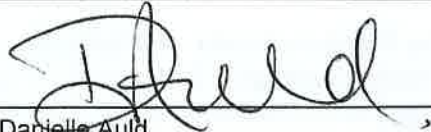

Signature of witness


Name of witness


Occupation


Address

Signed by **Danielle Auld** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Danielle Auld


Signature of witness

Yvonne Baldock
Name of witness

Office Manager
Occupation

752 Cameron Rd
Address Tauranga 3112

Signed by **Roseanna Hiha** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Roseanna Hiha


Signature of witness

Yvonne Baldock
Name of witness

Office Manager
Occupation

752 Cameron Rd
Address Tauranga 3112

Signed by **Paul Sands** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Paul Sands


Signature of witness


Yvonne Baldock
Name of witness

Office Manager
Occupation


752 Cameron Rd
Address Tauranga 3112


Signed by **Stephen Napier** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Stephen Napier


Signature of witness
Yvonne Baldock
Name of witness
Office ~~Manager~~ Manager
Occupation
752 Cameron Rd
Address
Tauranga 3112


Signed by **Gary Smith** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Gary Smith

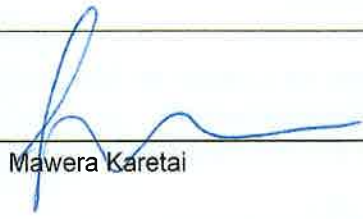

Signature of witness
Yvonne Baldock
Name of witness
Office Manager
Occupation
752 Cameron Rd
Address
Tauranga 3112

Signed by **Tania Cutfield** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Tania Cutfield


Signature of witness
Yvonne Baldock
Name of witness
Office Manager
Occupation
752 Cameron Rd
Address
Tauranga 3112

Signed by **Mawera Karetai** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Mawera Karetai



Signature of witness

Yvonne Baldock
Name of witness

Office Manager
Occupation

752 Cameron Rd
Address Tauranga 3112

Signed by **Te Aorangi Murphy-Fell** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Te Aorangi Murphy-Fell


Signature of witness

Yvonne Baldock
Name of witness

Office Manager
Occupation

752 Cameron Rd
Address Tauranga 3112

Signed by **Elizabeth Harris** as Trustee of Bay of Plenty Community Trust Incorporated in the presence of:


Elizabeth Harris


Signature of witness

Yvonne Baldock
Name of witness

Office Manager
Occupation

752 Cameron Rd
Address Tauranga 3112

Signed by **Nicola de Lautour** as Trustee of
Bay of Plenty Community Trust
Incorporated in the presence of:

Nicola de Lautour

Nicola de Lautour

Yvonne Baldock

Signature of witness

Yvonne Baldock

Name of witness

Office Manager

Occupation

752 Cameron Rd

Address

Tauranga 3112

The Minister by execution of this deed hereby gives their approval the Variation of the
Trust Deed as recorded in this deed:

[Signature]

Signed by the **Minister** in the presence of:

Jas Singh

Signature of witness

Jas Singh

Name of witness

Private Secretary

Occupation

Parliament Buildings

Address